

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

IN THE MATTER OF A GRAND
JURY INVESTIGATION
OF
USA v. 21-156-05

5:21-mc-27
MOTION FOR NONDISCLOSURE

The United States respectfully applies for an order of nondisclosure to

Twitter, Inc. under 18 U.S.C. § 2705(b) regarding
@eddiethegroyper; @CreatineTwitch

The United States has sought a subpoena for subscriber information, including all names, addresses, IP addresses, including historical, telephone numbers, other email addresses, information on length and types of services and any means of payment related to these accounts under the authority given by 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A). Based on § 2703(c)(3), the United States is not required to provide notice to the subscribers. Under § 2705(b), the United States may apply to the court for an order commanding

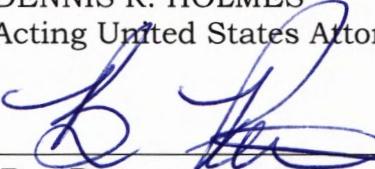
Twitter, Inc. not to notify the subscriber or any other person of the existence of the subpoena. The court may decide what length of time shall apply to the order of nondisclosure if the court determines the notification to the subscriber could result in one of the five factors listed in the

statute, which includes destruction of or tampering with evidence. 18 U.S.C. § 2705(b)(3).

The basis for the request is that such disclosure could cause any person with access to the account, or any related account or account information, to tamper with or modify the content or account information and thereby destroy or tamper with evidence and otherwise seriously jeopardize the investigation.

Dated: December 9, 2021.

DENNIS R. HOLMES
Acting United States Attorney



Ben Patterson
Assistant U.S. Attorney
515 9th Street, Room 201
Rapid City, South Dakota 57701
Telephone: (605) 342-7822
Facsimile: (605) 342-1108
E-mail: Ben.Patterson@usdoj.gov

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ORDER OF NONDISCLOSURE

The United States having established sufficient cause for delayed notification, I find that immediate notification to the subscribers of the existence of the subpoena may have an adverse result listed in 18 U.S.C. § 2705(b), it is hereby;

ORDERED Twitter, Inc. shall not notify any other person of the existence of the previously served subpoena related to said account for 180 days.

Dated: December 10, 2021

BY THE COURT:



DANETA WOLLMANN
U.S. Magistrate Judge